

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO

KERRY BEGAY JR.
Plaintiff,

No. 1:22-CV-00070-JB-GJF
Document # 8

v.

1. San Juan County Adult Detention Center
 2. DETENTION OFFICER DELBERT THOMAS
 3. DETENTION OFFICER JOSHUA SHOULTS
 4. DETENTION OFFICER GARY COLEMAN
 5. DETENTION OFFICER GERARDO SILVA
- Defendant,

FILED
UNITED STATES DISTRICT COURT
ALBUQUERQUE, NEW MEXICO

DEC 23 2022

MITCHELL R. ELFERS
CLERK

④ AMENDED CRIMINAL COMPLAINT-

- 4) On or about 6th day of November, 2021 05:11 C-MAX 1, San Juan County Adult Detention Center, San Juan County, New Mexico, 871 Andrea Drive, Farmington New Mexico 87401; Plaintiff was attacked forcefully by multiple officers causing injuries to Plaintiff back/spine face. Officers force Plaintiff to a sitting position pushing down on head, neck and shoulders, causing back/spine injuries. Plaintiff was handcuffed behind his back before the assault began.

Officers caused further injury by lifting plaintiff off the ground estimated (1) one foot (6) six inches, and slamming Plaintiff face first to the concrete causing teeth to break injury to (left) side of the face, and arm.

Plaintiff was handcuffed behind the back while the entire assault took place. Medical attention was refused and never given on 6th day of November, 2021, Medical form never filed 7th day of November, 2021.

Case # 1:22-CV-00070-JB-GJF
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5) On or about 8th day of June, 2022, Plaintiff was taken to medical assessment and reported tooth infection. Evening medical cart came through C-MAX 1, San Juan County, New Mexico 87401. Plaintiff was given medication for tooth infection. Plaintiff was unaware of allergy to medication, vomiting and dizziness.

On or about 9th day of June 2022, morning Medical Cart notified Plaintiff that the medication Amoxciline was prescribe. Plaintiff signed a refused slip. Medical Staff returned admitting to not reading Plaintiff's Medical Records for allergy.

Grievance: Global Tel Link Co.

November 07, 2021 10:25 # 149121502

General Grievance/Civil Rights violation

"injury to my tooth (left) arm (left), swelling from injury both wrist (cuffed behind back) Upper left arm with metal plate (swelling) (left) Back tooth broken, Brutal force from Petterson, Already"

November 07, 2021 17:07

"This is not a medical request system. Contact any floor officer and request a Medical Attention form. These will be picked up by medical staff during morning med pass. All use of force incident are reviewed by Administration (Sgt Jacobs)

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November 07, 2021 09:32 # 149115392

Medical Grievance / injury

" I was slammed face first (left) half tooth broke off, injury my left arm with a metal plate (swelling) Both wrist swelling, Back and neck pain. The nurse working wouldn't give medical attention"

November 08, 2021 15:42

"This is not a request system, please speak to medical when they are in your housing area. If you have an emergency let security know and they will get medical. (HSA).

December 10, 2021 17:52 # 155367722

General Grievance / Civil Rights violation.

"I was injured on my left side of my body and face, I never got medical attention for it"

December 14, 2021 11:02

" you spoke with medical staff and they checked on you when you were in medical procedures, recovering from pepper gel. If you feel like you have any other injuries. I can make sure that you have a medical request to turn in for them (Sergeant Coleman)

December 16, 2021 17:50 # 155367442

medical Grievance / injury 12/15/21

" I never received medical attention"

December 27, 2021 10:54

" You were checked and cleared by medical staff" (Lt F Mejia)

Conclusion

Plaintiff respectfully ask this court to consider Aggravated Battery Charges for injuries caused to Plaintiff by Defendants, Granting Plaintiff any additional relief the court believes to be necessary and just.

R. J. B. Jr.
12-2022

Amended Note:

Amended Criminal Complaint: Document #8
Supporting evidences added paragraph #4 and #5.

Added Grievance Report from Global Tel link Co.

Kerry Bagay #6310
871 Andre Drive
Farmington NM

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UNITED STATES DISTRICT COURT
ALBUQUERQUE, NEW MEXICO

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ALBUQUERQUE, NEW MEXICO

MITCHELL E. LEWIS
CLERK

U.S. District Court

333 Lomas Blvd, NW

Suite # 270

Albuquerque NM

- 87102 -